

Attorney Docket No. 837.1209

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Shigeki WATANABE

Application No.: 09/386,847

Group Art Unit: 2877

Filed: August 31, 1999

Examiner: Michael P. Mooney

For: DEVICE AND SYSTEM FOR PHASE CONJUGATE CONVERSION AND WAVELENGTH  
CONVERSION

**COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Examiner provided a Statement of Reasons for Allowance in which the Examiner indicated that some of the claims were allowed based on certain features.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner in the reasons for allowance of papers 6 and 9 characterizes certain features of identified claims were the Examiner states that "The prior art, either alone or in combination, does not disclose or render obvious..." certain noted features of the claims. It is submitted that the Examiner's statement is not an accurate quote with respect to each of the allowed claims. It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is submitted that the claims provide their own best evidence as to the reasons for allowance.

With respect to the claims, the Examiner has emphasized portion of the various claims. It is submitted that the use of such emphasis in the reasons for allowance is improper in that it provides certain emphasis which might "place unwarranted interpretations, whether broad or narrow, upon the claims" (M.P.E.P. §1302.14).

Serial No.:


It is submitted that the claims are not constrained by such improper comments and statements by the Examiner, and that the claims speak for themselves as to what features are included therein.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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Date: 9/19/13

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